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12 *Chairman of the Executive Committee
for the Direct Purchaser Plaintiffs*

13 IN RE OPTICAL DISK DRIVE PRODUCTS) MDL No. 3:10-md-2143 RS
14 ANTITRUST LITIGATION)
15) **AMENDED STIPULATION AND**
16) **[PROPOSED] ORDER MODIFYING**
17) **SCHEDULE IN ORDER GRANTING**
18) **SETTLEMENT CLASS**
19) **CERTIFICATION AND PRELIMINARY**
20) **APPROVAL OF CLASS ACTION**
21) **SETTLEMENT WITH HLDS AND**
22) **AMENDING SHORT AND LONG**
23) **FORMS OF NOTICE ATTACHED AS**
24) **EXHIBITS A AND B THERETO**
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29) DATE ACTION FILED: Oct. 27, 2009
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1 **WHEREAS**, on March 22, 2013, this Court entered an Order Granting Settlement Class
 2 Certification and Preliminary Approval of Class Action Settlement With HLDS (“Preliminary
 3 Approval Order”) (Dkt. No. 798);

4 **WHEREAS**, the Preliminary Approval Order sets forth the Forms of Notice—both a Long
 5 Form (Exhibit A) and a Short Form (Exhibit B)—to be sent out to class members and published by
 6 the claims administrator, as well as a schedule for, *inter alia*, notice, objections, requests for
 7 exclusion, and briefing and hearing for final approval;

8 **WHEREAS**, on April 15, 2013, this Court entered an Order Granting Motion For Leave To
 9 File A Third Consolidated Direct Purchaser Class Action Complaint (“TCAC”) (Dkt. No. 834);

10 **WHEREAS**, on April 17, 2013, the TCAC was electronically filed (Dkt. No. 838);

11 **WHEREAS**, the TCAC makes certain changes to the prior operative complaint, including a
 12 new Class Definition and the removal of one defendant, Sony Computer Entertainment America, Inc.;

13 **WHEREAS**, on April 25, 2013, the Court issued an Order Requesting Clarification of
 14 Stipulation;

15 **WHEREAS**, the parties agree that the scope of the settlement and the settlement class is
 16 unaffected by the TCAC—i.e., persons who purchased PlayStation videogame consoles, CD
 17 players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders remain in the
 18 settlement class;

19 **WHEREAS**, Plaintiffs and Defendants Hitachi-LG Data Storage, Inc.; Hitachi-LG Data
 20 Storage Korea, Inc.; LG Electronics, Inc.; LG Electronics USA, Inc.; and Hitachi, Ltd. (“Settling
 21 Defendants”) wish to amend the proposed forms of Notice to reflect the changes in the TCAC
 22 (while making clear that this settlement is unaffected by the changes in the TCAC), requiring a
 23 slight modification to the Forms of Notice previously approved by the Court (copies of the
 24 proposed notices showing in redline the changes made to the notices to clarify that the filing of the
 25 TCAC will not affect the HLDS settlement are attached hereto as Exhibit C (Long-Form Notice)
 26 and Exhibit D (Short-Form Notice));

27 **WHEREAS**, Defendants Sony Corporation; Sony Electronics Inc.; Sony Optiarc America

1 Inc.; Sony Optiarc Inc.; and Sony Computer Entertainment America, LLC (collectively, "Sony
 2 Defendants") have informed Plaintiffs that they will not be able to meet the Court-ordered deadline
 3 of April 18, 2013 to provide an electronic list of potential class members as set forth in paragraph
 4 10 of the Preliminary Approval Order;

5 **WHEREAS**, on April 18, 2013, the Sony Defendants filed a Joint Stipulation and
 6 [Proposed] Order to Extend Time (Dkt. No. 841) and on April 22, 2013 this Court entered the Joint
 7 Stipulation and Order to Extend Time (Dkt. No. 844) extending the Court-ordered deadline of
 8 April 18, 2013 to provide an electronic list of potential class members as set forth in paragraph 10
 9 of the Preliminary Approval Order;

10 **WHEREAS**, Plaintiffs and Settling Defendants request the Court modify the schedule set
 11 forth in the Preliminary Approval Order to permit the Sony Defendants to provide an electronic list
 12 of potential class members no later than May 10, 2013, and move the previously ordered schedule
 13 in the Preliminary Approval Order out three weeks to accommodate the extension of time;

14 **NOW THEREFORE, IT IS HEREBY STIPULATED** by and between the undersigned
 15 counsel for the parties as follows:

- 16 1. The Proposed Long Form Notice attached hereto as Exhibit A is deemed ordered and
 17 replaces the Notice previously attached to the Preliminary Approval Order;
- 18 2. The Proposed Short Form Notice attached hereto as Exhibit B is deemed ordered and
 19 replaces the Notice previously attached to the Preliminary Approval Order;

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3. The deadlines set forth in paragraphs 10 through 18 of the Preliminary Approval Order are modified as follows:

<u>Action</u>	<u>Date in March 22, 2013 Preliminary Approval Order</u>	<u>Proposed New Date</u>
Last Day for Sony Defendants to Produce List of Potential Class Members (¶10)	Thursday, April 18, 2013	Friday, May 10, 2013
Last Day for Direct Notice to Class (¶11)	Thursday, May 9, 2013	Friday, May 31, 2013
Last Day to Post the Class Notices and Settlement Agreement on the Internet (¶11)	Thursday, May 9, 2013	Friday, May 31, 2013
Last Day to Publish Summary Notice in <i>Wall Street Journal</i> (¶11)	Monday, May 13, 2013	Tuesday, June 4, 2013
Last Day for Class Members to Request Exclusion (¶12)	Monday, June 24, 2013	Monday, July 15, 2013
Last Day to Mail Objection to Settlement (¶14)	Monday, June 24, 2013	Monday, July 15, 2013
Last Day to File Notice of Intention to Appear at Fairness Hearing (¶15)	Monday, June 24, 2013	Monday, July 15, 2013
Last Day to File List of Exclusions with Court (¶12)	Monday, July 8, 2013	Monday, July 29, 2013
Last Day to File Final Approval Motion (¶16)	Thursday, July 25, 2013	Thursday, August 29, 2013
Final Approval Hearing (¶18)	Thursday, August 15, 2013	Thursday, September 19, 2013 at 1:30 p.m.
		Friday, September 20, 2013 at 10:00 a.m.

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IT IS SO STIPULATED.

DATED: April 30, 2013 SAVERI & SAVERI, INC.

SAVERI & SAVERI, INC.

By /s/ Cadio Zirpoli
CADIO ZIRPOLI

GUIDO SAVERI (22349)
guido@saveri.com
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706 Sansome Street
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Facsimile: (415) 217-6813

*Interim Lead Counsel for Direct
Purchaser Plaintiffs*

DATED: April 30, 2013

VINSON & ELKINS LLP

Craig P. Seebald
VINSON & ELKINS LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037-1701
Telephone: (202) 639-6585
Facsimile: (202) 879-8995
cseebald@velaw.com

Counsel for Defendant
HITACHI, LTD.

1 DATED: April 30, 2013

ROPES & GRAY LLP

2 By /s/ Michelle Visser
3 MICHELLE VISSER

4 Michelle Visser
5 ROPES & GRAY LLP
6 Three Embarcadero Center
7 San Francisco, CA 94111-4006
Telephone: (415) 315-6300
Facsimile: (415) 315-6350
michelle.visser@ropesgray.com

8 Counsel for Defendants
9 *HITACHI-LG DATA STORAGE, INC.*
HITACHI-LG DATA STORAGE KOREA, INC.

10 DATED: April 30, 2013

EIMER STAHL LLP

11 By /s/ Nathan P. Eimer
12 NATHAN P. EIMER

13 Nathan P. Eimer
14 EIMER STAHL LLP
15 224 S. Michigan Avenue, Suite 1100
16 Chicago, IL 60604
Telephone: (312) 660-7600
Facsimile: (312) 692-1718
neimer@eimerstahl.com

17 Counsel for Defendants
18 *LG ELECTRONICS, INC.*
LG ELECTRONICS USA, INC.

19 **ATTESTATION OF FILING**

20 Pursuant to N.D. Cal. General Order No. 45, section 45X(B), I hereby attest that
21 concurrence in the filing of this document has been properly obtained.

22 /s/ Cadio Zirpoli
23 CADIO ZIRPOLI

24 * * *

25 **IT IS SO ORDERED.**

26 DATED: 4/30/13



27
28 HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

If You Bought An Optical Disk Drive or Optical Disk Drive Device, A Class Action Settlement May Affect You.

An Optical Disk Drive is any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices.

Optical Disk Drive Devices include desktop computers, mobile/laptop computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain Optical Disk Drives

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

- A class action lawsuit brought on behalf of direct purchasers of Optical Disk Drives (ODDs) and Optical Disk Drive Devices (ODD Devices) is currently pending.
- Plaintiffs claim that Defendants (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of ODDs. Plaintiffs further claim that direct purchasers from the Defendants of computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain ODDs may recover for the effect that the ODD conspiracy had on the prices of ODD Devices. Plaintiffs allege that, as a result of the unlawful conspiracy involving ODDs, they and other direct purchasers paid more for ODDs and ODD Devices than they would have paid absent the conspiracy. Defendants deny Plaintiffs' claims.
- A settlement has been reached with Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (the "Settlement"). LG Electronics, Inc., LG Electronics USA, Inc., and Hitachi, Ltd. are also being released by this Settlement. These companies are together referred to as "Released Defendants."
- Your legal rights will be affected whether you act or don't act. This Notice includes information on the Settlement and the continuing lawsuit. Please read the entire Notice carefully.

These Rights and Options – and deadlines to exercise them – are explained in this Notice

You can object or comment on the Settlement *see* Question 10

You may also exclude yourself from the Settlement *see* Question 10

You may go to a hearing and comment on the Settlement *see* Question 14

- The Court in charge of this case still has to decide whether to approve the Settlement. The case against the Non-Released Defendants (identified below) continues.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

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3. What is this lawsuit about?
4. Why is there a Settlement, but the litigation is continuing?
5. What are Optical Disk Drives and Optical Disk Drive Products?
6. What is a class action?

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7. How do I know if I'm part of the Settlement Class?
8. What does the Settlement provide?
9. When can I get a payment?
10. What are my rights in the Settlement Class?
11. What am I giving up to stay in the Settlement Class?

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12. When and where will the Court decide whether to approve the Settlement?
13. Do I have to come to the hearing?
14. May I speak at the hearing?

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15. Do I have a lawyer in the case?
16. How will the lawyers be paid?

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17. How do I get more information?

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

BASIC INFORMATION

1. Why did I get this Notice?

You or your company may have directly purchased Optical Disk Drives (ODDs) or Optical Disk Drive Devices (ODD Devices) between January 1, 2004 and December 31, 2011. For purposes of this Settlement, a direct purchaser is a person or business who bought an ODD, or an ODD Device directly from one or more of the Defendants, co-conspirators, affiliates, or subsidiaries themselves, as opposed to an intermediary (such as a retail store).

You have the right to know about the litigation and about your legal rights and options before the Court decides whether to approve the Settlement.

The Notice explains the litigation, the Settlement, and your legal rights.

The Court in charge of the case is the United States District Court for the Northern District of California, and the case is called *In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143. The people who sued are called Plaintiffs and the companies they sued are called Defendants.

2. Who are the Defendant companies?

The Defendant companies include: Sony Corporation, Sony Optiarc Inc., NEC Corporation, Sony NEC Optiarc Inc., Sony Optiarc America Inc., Sony Computer Entertainment America, LLC (originally named in the complaint as Sony Computer Entertainment America, Inc.),¹ Sony Electronics, Inc., LG Electronics Inc., LG Electronics USA, Inc., Hitachi, Ltd., Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc., Toshiba Corporation, Toshiba America Information Systems, Inc., Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., Toshiba Samsung Storage Technology Corp., Toshiba Samsung Storage Technology Corp. Korea, Lite-On IT Corp. of Taiwan, Koninklijke Philips Electronics N.V., Philips & Lite-On Digital Solutions Corp., Philips & Lite-On Digital Solutions USA, Inc., BenQ Corporation, BenQ America Corporation, TEAC Corporation, TEAC America, Inc., Quanta Storage, Inc., Quanta Storage America, Inc., Panasonic Corporation, and Panasonic Corporation of North America.

¹ Plaintiffs have voluntarily dismissed Sony Computer Entertainment America, LLC, as a defendant in this matter, but purchases of ODDs and ODD Devices, if any, directly from Sony Computer Entertainment America, Inc./Sony Computer Entertainment America, LLC remain covered by this settlement.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

3. What is this lawsuit about?

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of ODDs for six years, resulting in overcharges to direct purchasers of those ODDs and certain products containing ODDs. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. antitrust laws by establishing a global cartel that set artificially high prices for, and restricted the supply of ODDs. Defendants deny Plaintiffs allegations. The Court has not decided who is right. Plaintiffs have filed an amended complaint which excludes certain devices from their claims, including PlayStation videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders (“Excluded Devices”). The Excluded Devices remain a part of the settlement described by this notice.

4. Why is there a Settlement but the litigation is continuing?

Only two of the Defendants have agreed to settle the lawsuit – Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (collectively, “HLDS”). LG Electronics, Inc. and Hitachi, Ltd. (“Hitachi”), the parent companies of HLDS, and LG Electronics USA, Inc. (collectively, with LG Electronics, Inc., “LG”) are also being released by this Settlement. HLDS, LG, and Hitachi are collectively referred to as Released Defendants. The case is continuing against the remaining Non-Released Defendants except for Sony Computer Entertainment America, LLC. Additional money may become available in the future as a result of a trial or future settlements, but there is no guarantee that this will happen.

5. What are Optical Disk Drives and Optical Disk Drive Products?

For the purposes of the Settlement, “Optical Disk Drives” or “ODDs” are defined to mean any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices.

“Optical Disk Drive Devices” or “ODD Devices” shall mean devices incorporating ODDs including but not limited to desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders.

6. What is a class action?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All these people are members of the class, except for those who exclude themselves from the class.

If the Plaintiffs obtain money or benefits as a result of a trial or future settlement, you will be notified about those settlements, if any, at that time. Important information about the case will be posted on the

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

website, www.ODDDirectPurchaserAntitrustSettlement.com as it becomes available. Please check the website to be kept informed about any future developments.

THE SETTLEMENT CLASS

7. How do I know if I'm part of the Settlement Class?

The settlement class includes persons and entities who, between January 1, 2004 and December 31, 2011, directly purchased an ODD or an ODD Device in the United States from any Defendant or subsidiary or affiliate thereof, or any co-conspirator. ("Settlement Class").

8. What does the Settlement provide?

The Settlement with HLDS provides for payment of \$26,000,000 in cash, plus interest. The Settlement also provides for the production of witnesses. In addition, HLDS, Hitachi, and LG's sales remain in the case for the purpose of computing damages against the remaining Non-Released Defendants. Finally, the Settlement provides that \$500,000 of the \$26 million Settlement Fund, subject to Court approval, may be used to pay expenses incurred in the litigation for prosecution of the action on behalf of the Settlement Class against Non-Released Defendants.

More details are in the Settlement Agreement, available at
www.ODDDirectPurchaserAntitrustSettlement.com

9. When can I get a payment?

No money will be distributed to any Settlement Class member yet. The lawyers will pursue the lawsuit against the Non-Released Defendants to see if any future settlements or judgments can be obtained in the case and then be distributed together, to reduce expenses.

Any future distribution of the Settlement Funds will be allocated on a *pro rata* basis. You will be notified in the future when and where to send a claim form. DO NOT SEND ANY CLAIMS NOW.

In the future, the Settlement Funds will be allocated on a *pro rata* basis based on the dollar value of each class member's purchase(s) of either ODDs or ODD Devices in proportion to the total claims filed. In determining the *pro rata* allocation of Settlement Funds, purchases of ODDs will be valued at 100% of their purchase price. For purchases of ODD Devices, the *pro rata* calculation will factor in the proportionate value of the ODD contained in the product. The resulting percentages will be multiplied by the net Settlement Fund (total settlements minus all costs, attorneys' fees, and expenses) to determine each claimant's *pro rata* share of the Settlement Fund.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

10. What are my rights in the Settlement Class?

Remain in the Settlement Class: If you wish to remain a member of the Settlement Class you do not need to take any action at this time.

Get out of the Settlement Class: If you wish to keep any of your rights to sue the Released Defendants about claims concerning the manufacture, supply, distribution, sale or pricing of ODDs or ODD Devices, other than claims for product liability, personal injury or breach of contract claims not related to the allegations in this case, you must exclude yourself from the Settlement Class. You will not get any money from the Settlement if you exclude yourself from the Settlement Class.

To exclude yourself from the Settlement Class, you must send a letter that includes the following:

- Your name, address and telephone number;
- A statement saying that you want to be excluded from *In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143, HLDS Settlement; and
- Your signature.

You must mail your exclusion request, postmarked no later than **July 15, 2013**, to:

ODD Claims Administrator
P.O. Box 6002
Larkspur CA 94977-6002

Remain in the Settlement Class and Object: If you have comments about, or disagree with, any aspect of the Settlement, you may express your views to the Court by writing to the address below. The written response needs to include your name, address, telephone number, the case name and number (*In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143), a brief explanation of your reasons for objecting, and your signature. The response must be postmarked no later than **July 15, 2013** and mailed to:

COURT	INTERIM LEAD COUNSEL	COUNSEL FOR HLDS
Honorable Richard Seeborg United States District Court Northern District of California San Francisco Division 450 Golden Gate Avenue Courtroom 3, 17th floor San Francisco, CA 94102	Guido Saveri R. Alexander Saveri SAVERI & SAVERI, INC. 706 Sansome Street San Francisco, CA 94111	Mark S. Popofsky ROPES & GRAY LLP One Metro Center 700 12th Street NW, Suite 900 Washington, DC 20005

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

11. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement Class, you can't sue the Released Defendants, or be part of any other lawsuit against Released Defendants about the legal issues in this case. It also means that all of the decisions by the Court will bind you. The "Release of Claims" includes any causes of actions asserted or that could have been asserted in the lawsuit, as described more fully in the Settlement Agreement. The Settlement Agreement is available at www.ODDDirectPurchaserAntitrustSettlement.com.

THE SETTLEMENT APPROVAL HEARING

12. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at 1:30 p.m. on **September 19, 2013**, at United States District Courthouse, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, California, 94102. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the Settlement Class website for information. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are objections or comments, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

13. Do I have to attend the hearing?

No. Interim Lead Counsel will answer any questions the Court may have. But, you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

14. May I speak at the hearing?

If you want your own lawyer instead of Interim Lead Counsel to speak at the Final Approval Hearing, you must give the Court a paper that is called a "Notice of Appearance." The Notice of Appearance should include the name and number of the lawsuit (*In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143), and state that you wish to enter an appearance at the Fairness Hearing. It also must include your name, address, telephone number, and signature. Your "Notice of Appearance" must be postmarked no later than **July 15, 2013**. You cannot speak at the Hearing if you previously asked to be excluded from the Settlement.

The Notice of Appearance must be sent to the addresses listed in Question 10.

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

Yes. The Court has appointed the law firm of Saveri & Saveri, Inc. to represent you as "Interim Lead Counsel." You do not have to pay Interim Lead Counsel. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

16. How will the lawyers be paid?

Class Counsel are not asking for attorneys' fees at this time. At a future time, Interim Lead Counsel will ask the Court for attorneys' fees not to exceed one-third (33.3%) of this or any future Settlement Fund plus reimbursement of their costs and expenses, in accordance with the provisions of the Settlement Agreement. Interim Lead Counsel may also request that an amount be paid to each of the Class Representatives who helped the lawyers on behalf of the whole Class.

GETTING MORE INFORMATION

17. How do I get more information?

This Notice summarizes the lawsuit and the Settlement. You can get more information about the lawsuit and Settlement at www.ODDDirectPurchaserAntitrustSettlement.com, by calling 1-888-270-0759, or writing to ODD Claims Administrator, P.O. 6002, Larkspur CA 94977-6002. Please do not contact the Court about this case.

BY ORDER OF THE COURT

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

EXHIBIT B

LEGAL NOTICE**If You Bought An Optical Disk Drive or Optical Disk Drive Device, A Class Action Settlement May Affect You.****Optical Disk Drive (ODD) Devices include computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain Optical Disk Drives**

A settlement has been reached with two defendants in a class action lawsuit involving ODDs and ODD Devices. ODD stands for "Optical Disk Drive." ODDs are any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices. "Optical Disk Drive Devices" or "ODD Devices" include desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders incorporating ODDs. Plaintiffs have filed an amended complaint which excludes certain devices from their claims, including PlayStation videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders ("Excluded Devices"). The Excluded Devices remain a part of the settlement described by this notice.

What is this lawsuit about?

The lawsuit alleges that Defendants and Co-Conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of ODDs. Plaintiffs further claim that direct purchasers from the Defendants of ODD Devices manufactured by a Defendant may recover for the effect that the alleged ODD conspiracy had on the prices of ODDs and ODD Devices. Plaintiffs allege that, as result of the unlawful conspiracy involving ODDs, they and other direct purchasers paid more for ODDs and ODD Devices than they would have absent the conspiracy. Defendants deny Plaintiffs' claims.

Who's included in the Settlement?

The Settlement includes all persons and entities who, between January 1, 2004 and December 31, 2011, directly purchased an ODD or ODD Device in the United States from any defendant or subsidiary or affiliate thereof. ("Settlement Class").

Who are the Released Defendants?

A Settlement has been reached with Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (collectively "HLDS"). LG Electronics, Inc., Hitachi, Ltd. (the parent companies of HLDS) and LG Electronics USA, Inc. are also being released by the settlement. The companies are together referred to as the "Released Defendants." A complete list of Defendants is set out in the Long Form of Notice available at www.ODDDirectPurchaserAntitrustSettlement.com.

What does the Settlement provide?

The Settlement provides for the payment of \$26,000,000 in cash, plus interest, to the Settlement Class. The Settlement provides that \$500,000 of the Settlement Fund, subject to Court approval, may be used to pay expenses incurred in the litigation for prosecution of the action on behalf of the Class against the non-released Defendants. Released Defendants have agreed to produce witnesses in the case against the remaining non-released Defendants. Money will not be distributed to Settlement Class members at this time. The lawyers will pursue the lawsuit against the other Defendants, to see if any future settlements or judgments can be obtained in the case and then be distributed together, on a *pro rata* basis based on the value of your ODD purchase, to reduce expenses.

What are my rights?

If you wish to remain a member of the Settlement Class you do not need to take any action at this time. If you do not want to be legally bound by the Settlement, you must exclude yourself in writing by July 15, 2013, or you will not be able to sue, or continue to sue, the Released Defendants about the legal claims that were or could have been asserted in this case.

If you wish to comment on or disagree with any aspect of the proposed Settlement, you must do so in writing no later than July 15, 2013. The Settlement Agreement, along with details on how to object to it, is available at www.ODDDirectPurchaserAntitrustSettlement.com. The U.S. District Court for the Northern District of California will hold a Fairness Hearing on September 19, 2013 at 1:30 p.m., at the United States District Courthouse, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, California, 94102. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the website for information.

The Court has appointed the law firm of Saveri & Saveri, Inc. as Interim Lead Class Counsel, to represent Direct Purchaser Class members. The Court will hold a hearing on September 19, 2013 at 1:30 p.m. to consider whether the Settlement is fair, reasonable and adequate. If there are objections or comments, the Court will consider them at that time. You may appear at the hearing, but don't have to. We do not know how long these decisions will take. Please do not contact the Court about this case.

This is the Short Form Notice. For more details, call toll free 1-888-270-0759, visit www.ODDDirectPurchaserAntitrustSettlement.com, or write to ODD Direct Settlement, P.O. Box 6002, Larkspur CA 94977-6002.

EXHIBIT C

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

If You Bought An Optical Disk Drive or Optical Disk Drive Device, A Class Action Settlement May Affect You.

An Optical Disk Drive is any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices.

Optical Disk Drive Devices include desktop computers, mobile/laptop computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain Optical Disk Drives

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

- A class action lawsuit brought on behalf of direct purchasers of Optical Disk Drives (ODDs) and Optical Disk Drive Devices (ODD Devices) is currently pending.
- Plaintiffs claim that Defendants (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of ODDs. Plaintiffs further claim that direct purchasers from the Defendants of computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain ODDs may recover for the effect that the ODD conspiracy had on the prices of ODD Devices. Plaintiffs allege that, as a result of the unlawful conspiracy involving ODDs, they and other direct purchasers paid more for ODDs and ODD Devices than they would have paid absent the conspiracy. Defendants deny Plaintiffs' claims.
- A settlement has been reached with Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (the "Settlement"). LG Electronics, Inc., LG Electronics USA, Inc., and Hitachi, Ltd. are also being released by this Settlement. These companies are together referred to as "Released Defendants."
- Your legal rights will be affected whether you act or don't act. This Notice includes information on the Settlement and the continuing lawsuit. Please read the entire Notice carefully.

These Rights and Options – and deadlines to exercise them – are explained in this Notice

You can object or comment on the Settlement *see* Question 10

You may also exclude yourself from the Settlement *see* Question 10

You may go to a hearing and comment on the Settlement *see* Question 14

- The Court in charge of this case still has to decide whether to approve the Settlement. The case against the Non-Released Defendants (identified below) continues.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

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The Lawyers Representing You Page 8

15. Do I have a lawyer in the case?
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Getting More Information Page 8

17. How do I get more information?

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

BASIC INFORMATION

1. Why did I get this Notice?

You or your company may have directly purchased Optical Disk Drives (ODDs) or Optical Disk Drive Devices (ODD Devices) between January 1, 2004 and December 31, 2011. For purposes of this Settlement, a direct purchaser is a person or business who bought an ODD, or an ODD Device directly from one or more of the Defendants, co-conspirators, affiliates, or subsidiaries themselves, as opposed to an intermediary (such as a retail store).

You have the right to know about the litigation and about your legal rights and options before the Court decides whether to approve the Settlement.

The Notice explains the litigation, the Settlement, and your legal rights.

The Court in charge of the case is the United States District Court for the Northern District of California, and the case is called *In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143. The people who sued are called Plaintiffs and the companies they sued are called Defendants.

2. Who are the Defendant companies?

The Defendant companies include: Sony Corporation, Sony Optiarc Inc., NEC Corporation, Sony NEC Optiarc Inc., Sony Optiarc America Inc., Sony Computer Entertainment America, LLC (originally named in the complaint as Sony Computer Entertainment America, Inc.),¹ Sony Electronics, Inc., LG Electronics Inc., LG Electronics USA, Inc., Hitachi, Ltd., Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc., Toshiba Corporation, Toshiba America Information Systems, Inc., Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., Toshiba Samsung Storage Technology Corp., Toshiba Samsung Storage Technology Corp. Korea, Lite-On IT Corp. of Taiwan, Koninklijke Philips Electronics N.V., Philips & Lite-On Digital Solutions Corp., Philips & Lite-On Digital Solutions USA, Inc., BenQ Corporation, BenQ America Corporation, TEAC Corporation, TEAC America, Inc., Quanta Storage, Inc., Quanta Storage America, Inc., Panasonic Corporation, and Panasonic Corporation of North America.

¹ Plaintiffs have voluntarily dismissed Sony Computer Entertainment America, LLC, as a defendant in this matter, but purchases of ODDs and ODD Devices, if any, directly from Sony Computer Entertainment America, Inc./Sony Computer Entertainment America, LLC remain covered by this settlement.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

3. What is this lawsuit about?

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of ODDs for six years, resulting in overcharges to direct purchasers of those ODDs and certain products containing ODDs. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. antitrust laws by establishing a global cartel that set artificially high prices for, and restricted the supply of ODDs. Defendants deny Plaintiffs' allegations. The Court has not decided who is right. Plaintiffs have filed an amended complaint which excludes certain devices from their claims, including PlayStation videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders ("Excluded Devices"). The Excluded Devices remain a part of the settlement described by this notice.

4. Why is there a Settlement but the litigation is continuing?

Only two of the Defendants have agreed to settle the lawsuit – Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (collectively, "HLDS"). LG Electronics, Inc. and Hitachi, Ltd. ("Hitachi"), the parent companies of HLDS, and LG Electronics USA, Inc. (collectively, with LG Electronics, Inc., "LG") are also being released by this Settlement. HLDS, LG, and Hitachi are collectively referred to as Released Defendants. The case is continuing against the remaining Non-Released Defendants except for Sony Computer Entertainment America, LLC. Additional money may become available in the future as a result of a trial or future settlements, but there is no guarantee that this will happen.

5. What are Optical Disk Drives and Optical Disk Drive Products?

For the purposes of the Settlement, "Optical Disk Drives" or "ODDs" are defined to mean any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices.

"Optical Disk Drive Devices" or "ODD Devices" shall mean devices incorporating ODDs including but not limited to desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders.

6. What is a class action?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. All these people are members of the class, except for those who exclude themselves from the class.

If the Plaintiffs obtain money or benefits as a result of a trial or future settlement, you will be notified about those settlements, if any, at that time. Important information about the case will be posted on the

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

website, www.ODDDirectPurchaserAntitrustSettlement.com as it becomes available. Please check the website to be kept informed about any future developments.

THE SETTLEMENT CLASS

7. How do I know if I'm part of the Settlement Class?

The settlement class includes persons and entities who, between January 1, 2004 and December 31, 2011, directly purchased an ODD or an ODD Device in the United States from any Defendant or subsidiary or affiliate thereof, or any co-conspirator. ("Settlement Class").

8. What does the Settlement provide?

The Settlement with HLDS provides for payment of \$26,000,000 in cash, plus interest. The Settlement also provides for the production of witnesses. In addition, HLDS, Hitachi, and LG's sales remain in the case for the purpose of computing damages against the remaining Non-Released Defendants. Finally, the Settlement provides that \$500,000 of the \$26 million Settlement Fund, subject to Court approval, may be used to pay expenses incurred in the litigation for prosecution of the action on behalf of the Settlement Class against Non-Released Defendants.

More details are in the Settlement Agreement, available at
www.ODDDirectPurchaserAntitrustSettlement.com

9. When can I get a payment?

No money will be distributed to any Settlement Class member yet. The lawyers will pursue the lawsuit against the Non-Released Defendants to see if any future settlements or judgments can be obtained in the case and then be distributed together, to reduce expenses.

Any future distribution of the Settlement Funds will be allocated on a *pro rata* basis. You will be notified in the future when and where to send a claim form. DO NOT SEND ANY CLAIMS NOW.

In the future, the Settlement Funds will be allocated on a *pro rata* basis based on the dollar value of each class member's purchase(s) of either ODDs or ODD Devices in proportion to the total claims filed. In determining the *pro rata* allocation of Settlement Funds, purchases of ODDs will be valued at 100% of their purchase price. For purchases of ODD Devices, the *pro rata* calculation will factor in the proportionate value of the ODD contained in the product. The resulting percentages will be multiplied by the net Settlement Fund (total settlements minus all costs, attorneys' fees, and expenses) to determine each claimant's *pro rata* share of the Settlement Fund.

**For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com**

10. What are my rights in the Settlement Class?

Remain in the Settlement Class: If you wish to remain a member of the Settlement Class you do not need to take any action at this time.

Get out of the Settlement Class: If you wish to keep any of your rights to sue the Released Defendants about claims concerning the manufacture, supply, distribution, sale or pricing of ODDs or ODD Devices, other than claims for product liability, personal injury or breach of contract claims not related to the allegations in this case, you must exclude yourself from the Settlement Class. You will not get any money from the Settlement if you exclude yourself from the Settlement Class.

To exclude yourself from the Settlement Class, you must send a letter that includes the following:

- Your name, address and telephone number;
- A statement saying that you want to be excluded from *In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143, HLDS Settlement; and
- Your signature.

You must mail your exclusion request, postmarked no later than **July 15, 2013**, to:

ODD Claims Administrator
P.O. Box 6002
Larkspur CA 94977-6002

Remain in the Settlement Class and Object: If you have comments about, or disagree with, any aspect of the Settlement, you may express your views to the Court by writing to the address below. The written response needs to include your name, address, telephone number, the case name and number (*In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143), a brief explanation of your reasons for objecting, and your signature. The response must be postmarked no later than **July 15, 2013** and mailed to:

COURT	INTERIM LEAD COUNSEL	COUNSEL FOR HLDS
Honorable Richard Seeborg United States District Court Northern District of California San Francisco Division 450 Golden Gate Avenue Courtroom 3, 17th floor San Francisco, CA 94102	Guido Saveri R. Alexander Saveri SAVERI & SAVERI, INC. 706 Sansome Street San Francisco, CA 94111	Mark S. Popofsky ROPES & GRAY LLP One Metro Center 700 12th Street NW, Suite 900 Washington, DC 20005

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11. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement Class, you can't sue the Released Defendants, or be part of any other lawsuit against Released Defendants about the legal issues in this case. It also means that all of the decisions by the Court will bind you. The "Release of Claims" includes any causes of actions asserted or that could have been asserted in the lawsuit, as described more fully in the Settlement Agreement. The Settlement Agreement is available at www.ODDDirectPurchaserAntitrustSettlement.com.

THE SETTLEMENT APPROVAL HEARING

12. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at **1:30 p.m. on September 19, 2013**, at United States District Courthouse, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, California, 94102. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the Settlement Class website for information. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are objections or comments, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

13. Do I have to attend the hearing?

No. Interim Lead Counsel will answer any questions the Court may have. But, you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

14. May I speak at the hearing?

If you want your own lawyer instead of Interim Lead Counsel to speak at the Final Approval Hearing, you must give the Court a paper that is called a "Notice of Appearance." The Notice of Appearance should include the name and number of the lawsuit (*In re Optical Disk Drive Products Antitrust Litigation*, MDL No. 2143), and state that you wish to enter an appearance at the Fairness Hearing. It also must include your name, address, telephone number, and signature. Your "Notice of Appearance" must be postmarked no later than **July 15, 2013**. You cannot speak at the Hearing if you previously asked to be excluded from the Settlement.

The Notice of Appearance must be sent to the addresses listed in Question 10.

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

Yes. The Court has appointed the law firm of Saveri & Saveri, Inc. to represent you as "Interim Lead Counsel." You do not have to pay Interim Lead Counsel. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

16. How will the lawyers be paid?

Class Counsel are not asking for attorneys' fees at this time. At a future time, Interim Lead Counsel will ask the Court for attorneys' fees not to exceed one-third (33.3%) of this or any future Settlement Fund plus reimbursement of their costs and expenses, in accordance with the provisions of the Settlement Agreement. Interim Lead Counsel may also request that an amount be paid to each of the Class Representatives who helped the lawyers on behalf of the whole Class.

GETTING MORE INFORMATION

17. How do I get more information?

This Notice summarizes the lawsuit and the Settlement. You can get more information about the lawsuit and Settlement at www.ODDDirectPurchaserAntitrustSettlement.com, by calling 1-888-270-0759, or writing to ODD Claims Administrator, P.O. 6002, Larkspur CA 94977-6002. Please do not contact the Court about this case.

BY ORDER OF THE COURT

For More Information: Call 1-888-270-0759 or Visit
www.ODDDirectPurchaserAntitrustSettlement.com

EXHIBIT D

LEGAL NOTICE**If You Bought An Optical Disk Drive or Optical Disk Drive Device, A Class Action Settlement May Affect You.**

Optical Disk Drive (ODD) Devices include computers, video game consoles, CD players/recorders, DVD players/recorders, and Blu-Ray players/recorders that contain Optical Disk Drives

A settlement has been reached with two defendants in a class action lawsuit involving ODDs and ODD Devices. ODD stands for “Optical Disk Drive.” ODDs are any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives, and optical disk drives designed to be attached externally to computers or other devices. “Optical Disk Drive Devices” or “ODD Devices” include desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders incorporating ODDs. Plaintiffs have filed an amended complaint which excludes certain devices from their claims, including PlayStation videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders (“Excluded Devices”). The Excluded Devices remain a part of the settlement described by this notice.

What is this lawsuit about?

The lawsuit alleges that Defendants and Co-Conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of ODDs. Plaintiffs further claim that direct purchasers from the Defendants of ODD Devices manufactured by a Defendant may recover for the effect that the alleged ODD conspiracy had on the prices of ODDs and ODD Devices. Plaintiffs allege that, as result of the unlawful conspiracy involving ODDs, they and other direct purchasers paid more for ODDs and ODD Devices than they would have absent the conspiracy. Defendants deny Plaintiffs’ claims.

Who's included in the Settlement?

The Settlement includes all persons and entities who, between January 1, 2004 and December 31, 2011, directly purchased an ODD or ODD Device in the United States from any defendant or subsidiary or affiliate thereof. (“Settlement Class”).

Who are the Released Defendants?

A Settlement has been reached with Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (collectively “HLDS”). LG Electronics, Inc., Hitachi, Ltd. (the parent companies of HLDS) and LG Electronics USA, Inc. are also being released by the settlement. The companies are together referred to as the “Released Defendants.” A complete list of Defendants is set out in the Long Form of Notice available at www.ODDDirectPurchaserAntitrustSettlement.com.

What does the Settlement provide?

The Settlement provides for the payment of \$26,000,000 in cash, plus interest, to the Settlement Class. The Settlement provides that \$500,000 of the Settlement Fund, subject to Court approval, may be used to pay expenses incurred in the litigation for prosecution of the action on behalf of the Class against the non-released Defendants. Released Defendants have agreed to produce witnesses in the case against the remaining non-released Defendants. Money will not be distributed to Settlement Class members at this time. The lawyers will pursue the lawsuit against the other Defendants, to see if any future settlements or judgments can be obtained in the case and then be distributed together, on a *pro rata* basis based on the value of your ODD purchase, to reduce expenses.

What are my rights?

If you wish to remain a member of the Settlement Class you do not need to take any action at this time. If you do not want to be legally bound by the Settlement, you must exclude yourself in writing by July 15, 2013, or you will not be able to sue, or continue to sue, the Released Defendants about the legal claims that were or could have been asserted in this case.

If you wish to comment on or disagree with any aspect of the proposed Settlement, you must do so in writing no later than July 15, 2013. The Settlement Agreement, along with details on how to object to it, is available at www.ODDDirectPurchaserAntitrustSettlement.com. The U.S. District Court for the Northern District of California will hold a Fairness Hearing on September 19, 2013 at 1:30 p.m., at the United States District Courthouse, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, California, 94102. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the website for information.

The Court has appointed the law firm of Saveri & Saveri, Inc. as Interim Lead Class Counsel, to represent Direct Purchaser Class members. The Court will hold a hearing on September 19, 2013 at 1:30 p.m. to consider whether the Settlement is fair, reasonable and adequate. If there are objections or comments, the Court will consider them at that time. You may appear at the hearing, but don’t have to. We do not know how long these decisions will take. Please do not contact the Court about this case.

This is the Short Form Notice. For more details, call toll free 1-888-270-0759, visit www.ODDDirectPurchaserAntitrustSettlement.com, or write to ODD Direct Settlement, P.O. Box 6002, Larkspur CA 94977-6002.